

<p style="text-align: right;">17</p> <p>1 G. KELLY</p> <p>2 don't know much about J & J, I know it's just,</p> <p>3 that it's another corporation.</p> <p>4 Q To the best of your knowledge, does</p> <p>5 James Miner own, directly or indirectly have an</p> <p>6 interest in any other car wash other than Nyack</p> <p>7 Soft Cloth Car Wash?</p> <p>8 A Yes, he does.</p> <p>9 Q What car washes are those?</p> <p>10 A Northvale Car Wash and Pearl River</p> <p>11 Car Wash.</p> <p>12 Q Northvale Car Wash, is that 262</p> <p>13 Livingston Street, Northvale, New Jersey?</p> <p>14 A That's correct.</p> <p>15 Q And Pearl River Car Wash is 558 North</p> <p>16 Middletown Road, Pearl River, New York?</p> <p>17 A Correct.</p> <p>18 Q Does he also have an interest in a</p> <p>19 car wash in Tenafly, New Jersey?</p> <p>20 A No, he doesn't.</p> <p>21 Q Did he ever, to the best of your</p> <p>22 knowledge?</p> <p>23 A At one time, he might have. One</p> <p>24 time.</p> <p>25 MR. SATRIALE: Don't guess, George.</p>	<p style="text-align: right;">19</p> <p>1 G. KELLY</p> <p>2 Q Who owns it?</p> <p>3 A Me and Timmy.</p> <p>4 Q You and Timmy?</p> <p>5 A Weigel.</p> <p>6 Q Okay. Do you own it through a</p> <p>7 corporate entity?</p> <p>8 A Yes.</p> <p>9 Q What entity is that?</p> <p>10 A It's called GT Car Wash.</p> <p>11 Q GT Car Wash?</p> <p>12 A Inc.</p> <p>13 Q And how long have you owned it?</p> <p>14 A I would say six years.</p> <p>15 Q What is your interest in GT Car Wash,</p> <p>16 Inc.?</p> <p>17 A I'm an owner.</p> <p>18 Q Do you have shares?</p> <p>19 A When you say in shares, me and Timmy</p> <p>20 own--</p> <p>21 Q Do you know what percentage of it you</p> <p>22 own?</p> <p>23 A Yeah, we're 50/50.</p> <p>24 Q 50/50?</p> <p>25 A Yes.</p>
<p style="text-align: right;">18</p> <p>1 G. KELLY</p> <p>2 THE WITNESS: Okay.</p> <p>3 Q What--</p> <p>4 MR. SATRIALE: Tell him what you</p> <p>5 know.</p> <p>6 A Yes, he did.</p> <p>7 Q He did?</p> <p>8 A Yes.</p> <p>9 Q And did there come a time that he</p> <p>10 sold or transferred his interest in the Tenafly</p> <p>11 car wash?</p> <p>12 A No.</p> <p>13 Q Does he still have that interest?</p> <p>14 A No.</p> <p>15 Q Well, I understood you to say he had</p> <p>16 the interest at some time?</p> <p>17 A Yes.</p> <p>18 Q And he didn't sell or transfer but</p> <p>19 that he no longer has the interest today?</p> <p>20 A That's correct.</p> <p>21 Q What happened to his interest in</p> <p>22 Tenafly?</p> <p>23 A His lease expired.</p> <p>24 Q So Tenafly Car Wash is closed?</p> <p>25 A No, it's open.</p>	<p style="text-align: right;">20</p> <p>1 G. KELLY</p> <p>2 Q Any other owners other than you and</p> <p>3 him?</p> <p>4 A No.</p> <p>5 Q Do you have a title in connection</p> <p>6 with the company? Are you the president?</p> <p>7 A I think I'm the secretary.</p> <p>8 Q You're the secretary?</p> <p>9 A Yeah.</p> <p>10 Q And Timmy Weigel is the CEO or</p> <p>11 something like that, president?</p> <p>12 A President.</p> <p>13 Q Are there any other officers?</p> <p>14 A No.</p> <p>15 Q Does Tenafly Car Wash have a manager?</p> <p>16 A Yes.</p> <p>17 Q Who is that?</p> <p>18 A Jerry Murphy.</p> <p>19 Q Does Mr. Miner have an interest in</p> <p>20 the Pearl River Car Wash through a corporate</p> <p>21 entity?</p> <p>22 A I'm not sure.</p> <p>23 Q And does he own the Pearl River Car</p> <p>24 Wash along with Timothy Weigel?</p> <p>25 A I don't know the arrangements for</p>

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<p>161</p> <p>1 G. KELLY</p> <p>2 Q What's the reference to other car</p> <p>3 washes, is that to Tenaflly?</p> <p>4 A Excuse me?</p> <p>5 Q It says keeping stock of all parts</p> <p>6 used by us and other car washes, is that a</p> <p>7 reference to Tenaflly?</p> <p>8 A To all the car washes.</p> <p>9 Q Tenaflly, Pearl River, Northvale?</p> <p>10 A If they needed parts in an emergency</p> <p>11 and we had it, I would get them the part.</p> <p>12 Q But one of operations manager's job</p> <p>13 was to keep stock of the parts used by all four</p> <p>14 car washes?</p> <p>15 A No. Not used by the car washes. If</p> <p>16 somebody came in for a part, I just write down</p> <p>17 what they took, so I would know what they took</p> <p>18 so I could reorder.</p> <p>19 Q If someone came in from any of the</p> <p>20 other three car washes?</p> <p>21 A Right, if they ran in to get a part,</p> <p>22 just write down what they took and give it to</p> <p>23 me so I know what they took.</p> <p>24 Q Now, you also managed the Tenaflly car</p> <p>25 wash?</p>	<p>163</p> <p>1 G. KELLY</p> <p>2 A No.</p> <p>3 Q How often do you go there?</p> <p>4 A I don't know what you said earlier, I</p> <p>5 could stop by once a week, once a month, just</p> <p>6 to say hello.</p> <p>7 Q And Northvale, the same answer?</p> <p>8 A Yes.</p> <p>9 Q You understand that you've been named</p> <p>10 as a defendant in this lawsuit that's pending</p> <p>11 in federal court?</p> <p>12 A Right.</p> <p>13 Q And do you understand what the claims</p> <p>14 are that have been asserted against you?</p> <p>15 A Yes.</p> <p>16 Q What's your understanding of the</p> <p>17 claims?</p> <p>18 MR. SATRIALE: You can give him your</p> <p>19 understanding but don't repeat anything</p> <p>20 that I have told you. If you have an</p> <p>21 understanding separate, apart from our</p> <p>22 discussions, then that's what you tell</p> <p>23 him.</p> <p>24 A I have an understanding of-- my</p> <p>25 understanding is, this, I don't understand your</p>
<p>162</p> <p>1 G. KELLY</p> <p>2 MR. SATRIALE: Objection to form.</p> <p>3 A Managed, I owned Tenaflly car wash.</p> <p>4 I'm an owner.</p> <p>5 Q Do you do the same thing there that</p> <p>6 you do at Nyack Colonial?</p> <p>7 A It's shared more.</p> <p>8 Q With you and Mr. Timothy Weigel?</p> <p>9 A That's correct.</p> <p>10 Q And do you handle the payroll the</p> <p>11 same way at Tenaflly?</p> <p>12 A Yes.</p> <p>13 Q You pay the same way?</p> <p>14 A Yes.</p> <p>15 Q You handle overtime the same way?</p> <p>16 A Yes.</p> <p>17 Q You handle tips the same way?</p> <p>18 A Yes.</p> <p>19 Q And are overtime and tip distribution</p> <p>20 handled the same way at Pearl River?</p> <p>21 MR. SATRIALE: If you know.</p> <p>22 A I don't know.</p> <p>23 Q How about at Northvale?</p> <p>24 A I don't know.</p> <p>25 Q Do you spend time in Pearl River?</p>	<p>164</p> <p>1 G. KELLY</p> <p>2 question. I understand that I am getting sued,</p> <p>3 yes, in federal court.</p> <p>4 MR. SATRIALE: Do you know why</p> <p>5 you're getting sued, what are the claims</p> <p>6 being brought against you?</p> <p>7 A Failure to pay overtime, and that's</p> <p>8 it.</p> <p>9 Q Do you have an understanding, without</p> <p>10 telling me what you discussed with your lawyer,</p> <p>11 as you sit here today, do you have an</p> <p>12 understanding as to what overtime is?</p> <p>13 A I understand overtime, yes, I do.</p> <p>14 Q What is your understanding of it?</p> <p>15 A Up and over 40 hours.</p> <p>16 Q What happens after 40 hours?</p> <p>17 A You get paid for time and a half.</p> <p>18 Q And did you have that understanding</p> <p>19 prior to this lawsuit that was --</p> <p>20 A Yes.</p> <p>21 Q The legal requirement?</p> <p>22 A Yes.</p> <p>23 Q Now, do you also understand that you</p> <p>24 have been sued for taking employee's tips?</p> <p>25 A I don't take people's tips.</p>

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